

State Major Donor and Independent Expenditure Committees – Q&A

2006 Elections

Q: If an individual or business entity becomes a major donor or independent expenditure committee during the late reporting period (16 days before the election), when are reports required to be filed?

A: A contribution or independent expenditure made during the late reporting period may trigger both qualification as a committee and the late reporting requirement. For example, the Smith Corporation contributes \$10,000 to a ballot measure committee 10 days before the election in which the measure is on the ballot. The corporation must file a late contribution report within 24 hours and a Major Donor/Independent Expenditure Committee Campaign Statement (Form 461) on the next semi-annual filing deadline.

Q: If an individual or business entity is notified that a candidate has transferred a contribution made during a prior year to the candidate's 2006 election committee, is the transferred amount counted for purposes of qualifying as a major donor during 2006, and is such a transfer required to be reported by a major donor?

A: No. However, for purposes of the contribution limits, the amount transferred may need to be aggregated with other contributions made to the candidate for the 2006 election.

Q: Must a committee that files the online independent expenditure report within 24 hours during the 90 days prior to the election also file the Supplemental Independent Expenditure Report (Form 465)?

A: Yes. The online independent expenditure report does not replace, but is in addition to, the supplemental independent expenditure report.

Q: If a major donor/independent expenditure committee filed a statement by July 31 covering the first six months of the year and makes no other contributions or independent expenditures during the second six months of the year, must it file a semi-annual statement by January 31?

A: No.

Q: Must a state major donor/independent expenditure committee that contributes to a local candidate file preelection statements in connection with the local election?

A: No. State major donor/independent expenditure committees do not file preelection reports regardless of their activity at the local level.

Q: *Must a state major donor/independent expenditure committee that makes a late contribution or a late independent expenditure in connection with a local election file a late contribution report with the local filing officer?*

A: The late contribution report is filed in the same locations that the major donor/independent expenditure committee files its regular campaign statements. Late independent expenditure reports are filed in the local jurisdiction and the major donor/independent expenditure committee's county of domicile.

Q: *Must a Supplemental Independent Expenditure Report (Form 465) be filed if an independent expenditure supports or opposes multiple candidates?*

A: Yes, but only if \$1,000 or more was expended to support or oppose each candidate in the independent expenditure. A separate Form 465 must be filed for each candidate supported or opposed.

Q: *Last year, a business entity contributed to candidates running in a city election and filed reports as a city major donor. This year, the business entity is donating to state candidates. Where are the major donor statements filed this year?*

A: A major donor committee automatically terminates at the end of each calendar year. A prior year's filing requirement does not affect the current year's filing requirement. A major donor making contributions to state candidates files with the Secretary of State, City and County of San Francisco, County of Los Angeles and the committee's county of domicile.